No. 200100121

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Sakata Seed Corporation

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE , OR CONDITIONING IT ROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR NT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 S AMENDED, 7 U.S.C. 2321 ET SEQ.)

VINCA

'Victory Apricot'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this fifteenth day of December, in the year two thousand and three.

Attest:

Acting Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture

REPRODUCE LOCALLY. *Include form number and date on all reproductions*

Form Approved - OMB No. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER
Sakata Seed Corporation

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME
Kakegawa EP1

3. VARIETY NAME
Victory Apricot ~~Kakegawa EP1~~ 8/12/02

4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)*
2-7-1 Nakamachidai
Tsuzuki-Ku, Yokohama
Japan 24

5. TELEPHONE *(include area code)*
(408) 778-7758

6. FAX *(include area code)*
(408) 779-1978

FOR OFFICIAL USE ONLY

PVPO NUMBER
200100121

FILING DATE
3/8/01

7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION *(corporation, partnership, association, etc.)*
corporation

8. IF INCORPORATED, GIVE STATE OF INCORPORATION
Yokohama, Japan

9. DATE OF INCORPORATION
Dec. 11, 1942

10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. *(First person listed will receive all papers)*
Thomas Day or Gary Whiteaker
Sakata Seed America, Inc.
18095 Serene Drive
Morgan Hill, California 95037 USA

FEES RECEIVED

FILING AND EXAMINATION FEES:
$ 2705.00
DATE 12/26/00

CERTIFICATION FEE:
$ 432.00
DATE 10/31/03

11. TELEPHONE *(Include area code)*
(408) 778-7758

12. FAX *(Include area code)*
(408) 779-1978

13. E-MAIL
tday@sakata.com

14. CROP KIND *(Common Name)*
vinca or Madagasgar perwinkle

18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)

- a. ☒ Exhibit A. Origin and Breeding History of the Variety
- b. ☒ Exhibit B. Statement of Distinctness
- c. ☒ Exhibit C. Objective Description of Variety
- d. ☒ Exhibit D. Additional Description of the Variety *(Optional)*
- e. ☒ Exhibit E. Statement of the Basis of the Owner's Ownership
- f. ☒ Voucher Sample *(2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository)*
- g. ☒ Filing and Examination Fee ($2,450), made payable to "Treasurer of the United States" *(Mail to the Plant Variety Protection Office)*

19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? *See Section 83(a) of the Plant Variety Protection Act)*

☐ YES *(If "yes", answer items 20 and 21 below)* ☒ NO *(If "no." go to item 22)*

20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? ☐ YES ☐ NO

IF YES, WHICH CLASSES? ☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

21. DOES THE OWNER SPECIFY THAT THE CLASSES BE LIMITED AS TO NUMBER OF GENERATIONS? ☐ YES ☐ NO

IF YES, SPECIFY THE NUMBER 1, 2, 3, *etc.* ☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

(If additional explanation is necessary, please use the space indicated on the reverse.)

22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES?

☒ YES ☐ NO

IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. *(Please use space indicated on reverse.)*

23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT *(PLANT BREEDER'S RIGHT OR PATENT)*?

☒ YES ☐ NO

IF YES, GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. *(Please use space indicated on reverse.)*

24. The owners declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF OWNER
Thomas Day

NAME *(Please print or type)*
Thomas Day

CAPACITY OR TITLE
QC and IPR Manager

DATE
12/21/00

SIGNATURE OF OWNER

NAME *(Please print or type)*

CAPACITY OR TITLE

DATE

INSTRUCTIONS

EP1

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), **ALL** of the following items must be **received** in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to **reproduce** the variety, or for tuber reproduced varieties verification that a viable *(in the sense that it will reproduce an entire plant)* tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for $2,450 ($300 filing fee and $2,150 examination fee), payable to "Treasurer of the United States" *(See Section 97.6 of the Regulations and Rules of Practice.)* Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfiled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 500, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of $300 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

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Plant Variety Protection Office
Telephone: (301) 504-5518
FAX: (301) 504-5291
Homepage: http://www.ams.usda.gov/science/pvp.htm

ITEM

18a. Give:
(1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;
(2) the details of subsequent stages of selection and multiplication;
(3) evidence of uniformity and stability; and
(4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified

18b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:

(1) identify these varieties and state all differences objectively;
(2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
(3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.

18c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.

18d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, *etc.*

18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.

19. If "Yes" is specified *(seed of this variety be sold by variety name only, as a class of certified seed)*, the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. *(See Regulations and Rules of Practice, Section 97.103).*

21. *See Section 83 of the Act for the Contents and Term of Plant Variety Protection.*

22. *See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.*

23. *See Section 5.5 of the Act for instructions on claiming the benefit of an earlier filing date.*

21. CONTINUED FROM FRONT *(Please provide a statement as to the limitation and sequence of generations that may be certified.)*

22. CONTINUED FROM FRONT *(Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)*

Japan Feb. 1999 Europe May 2000

23. CONTINUED FROM FRONT *(Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)*

Japan January 27, 2000 Appl. # 12309

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or any modification of owner's name is specified in Section 97.175 of the regulations. *(See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)*

To avoid conflict with other variety names in use, the applicant must check the variety names proposed by contacting: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center--East, Beltsville, MD 20705. Telephone: (301) 504-8089.

S&T-470 (2-99) designed by the Plant Variety Protection Office with WordPerfect 6.0a. Replaces STD-470 (6-98) which is obsolete.

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200100121

Sakata Seed America
Vinca 'Victory Apricot'
PVP Application Number: 200100121

Exhibit A, Breeding History
Revised: August 8, 2002 (THD)

In 1994 the initial cross was made between two Vinca breeding lines. Line 10-4A-3E possessed two negative traits, small flowers and limp petals, however, it also possessed good branching and round, overlapping petals. Line 4985 possessed larger flowers, however, it also possessed a tall habit with little branching. Both lines were selections of off-type plants from the variety 'Little Linda' that were self-pollinated until true breeding. In 1994 F_1 and F_2 seed were produced and selections were made from the F_2 generation for short plants with branching habit and large-petaled flowers. The selection 2-40B possessed apricot petal color, round petals, large flowers and a compact habit with good branching.

In 1995 2-40B was crossed to the variety 'Pacifica Red'. F_1 and F_2 generation seed from this cross were produced in 1995. In 1996 the F_2 selection 4-40 possessed good plant habit and flower shape. Self-pollination and single plant selection for compact habit and branching, large-petaled, sturdy flowers and attractive petal color continued until 1998 when an F_6 generation plant, 4-40D-4B-3, was selected as 'Kakegawa EP1'.

'Kakegawa EP1' was reproduced and grown out to evaluate uniformity again at the F_7 generation. 'Victory Apricot' was uniform and stable for two seed generations. There are no variant or off-type plants inherent in the variety.

200100121

Sakata Seed America
Vinca 'Victory Apricot'
PVP Application Number: 200100121

Exhibit B, Distinctness Statement
Revised: August 8, 2002 (THD)

Based on overall morphology, 'Victory Apricot' is most similar to 'Pacifica Red'.

'Victory Apricot' most clearly differs from 'Pacifica Red' in the following traits:

Trait	'Victory Apricot'	'Pacifica Red'	Evidence
Flower orifice color	Yellow	Red	Photos attached to Exhibit C
Flower eye color	White	No eye	Photos attached to Exhibit C
Leaf length	72 mm	90 mm	Statistical data below

Leaf Length Data Analysis

N= 20 plants per variety, one fully expended leaf per plant

Variety	Mean	Std. Dev.	t value	Probability
Victory Apricot	72	3.28		
Pacifica Red	90	3.44	16.85	1.6 E-19

FORM DEVELOPED
(4-92)

EXHIBIT C
(Vinca)

United States Department of Agriculture, Agricultural Marketing Service
Science and Technology Division, Plant Variety Protection Office
National Agricultural Library Building, Room 500
Beltsville MD 20705

OBJECTIVE DESCRIPTION OF VARIETY
VINCA (*Catharanthus* spp.)

Name of Applicant(s)	Temporary Designation	Variety Name
Sakata Seed Corporation	Kakegawa EP1	Victory Apricot ~~Kakegawa EP1~~

Address (Street & No., or R.F.D. No., City, State, Zip Code and Country)
2-7-1 Nakamachidai
Tsuzuki-Ku, Yokohama
Japan 224

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PVPO Number
200100121

20 cells SMC

Place the appropriate number that describes the varietal characters typical of this variety in the spaces below. Right justify whole numbers by adding leading zeros if necessary. The variety that you choose for comparison should be the most similar one in terms of background and maturity. The comparison variety used should be grown in field trials **with** the application variety for 2-3 location/years (environments) **in the region and season of best adaptability.** At least one year of trials should be conducted within the United States of America. In general, measurements of quantitative traits should be taken on 15-25 randomly selected plants or plant parts to obtain averages and statistics that describe a typical field of the variety. Designate test location(s): Salinas, California

1. OVERALL PLANT HABIT (at flowering stage):	
Data Collection Site: Salinas, California	Comparison Variety Name: 'Pacifica Red'
1 Species : 1=roseus 2=Other ____	1 Species
2 Ploidy : 1=Haploid 2=Diploid 3=Triploid 4=Tetraploid	2 Ploidy
1 Life Cycle : 1=Annual 2=Biennial 3=Perennial	1 Life Cycle
1 Growth Habit : 1=Determinate 2=Semi-determinate 3=Indeterminate	1 Growth Habit
1 Growth Form : 1=Upright 2=Semi-prostrate 3=Prostrate	1 Growth Form
2 Flowering : 1=Very Early 2=Early 3=Mid Season 4=Late 5=Continuous	2 Flowering season
077 Days from Planting to First Flowering	077 Days to First Flowering
150 Length of Flowering Season in Days	150 Days - Flowering Season Length
11.5 cm Plant Height at Maturity	13.0 cm Plant Height
16.0 cm Plant Width at Maturity	16.0 cm Plant Width
2 Plant Height Class : 1=Extra Dwarf 2=Dwarf 3=Semi-dwarf 4=Tall	2 Plant Height Class
1 Plant Width Class : 1=Compact 2=Semi-compact 3=Spreading/Lax	1 Plant Width Class
2. STEM:	
1 Profile: 1=Straight 2=Zig-Zag	1 Profile
1 Branching Pattern : 1=Single Stem 2=Few Branches 3=Many Branches	1 Branching Pattern
12.0 cm Stem Length from base of stem to terminal flower	13.0 cm Stem Length (total)
0 Number of Internodes below First Branch	0 Number of Internodes below First Branch
10 Number of First Order Branches (from main stem)	10 No. of First Order Branches (from main stem)
2 Stem Anthocyanin: 1=Absent 2=Along Veins only 3=Solid Coloration	2 Stem Anthocyanin
Application Variety Data	Comparison Variety Data

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Victory Apricot

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Application Variety Data 'Kakegawa EP1' Page 2	Comparison Variety Data 'Pacifica Red'
3. FOLIAGE:	
1 Leaf Type: 1=Simple 2=Compound	1 Leaf Type
1 Leaf Margin: 1=Entire 2=Serrate 3=Other _____	1 Leaf Margin
1 Leaf Odor: 1=None 2=Mild 3=Strong	1 Leaf Odor
2 Petiole Anthocyanin: 1=Absent 2=Mild 3=Strong	2 Petiole Anthocyanin
2 Leaf Shape: 1=Lanceolate 2=Elliptic 3=Obovate 4=Ovate	2 Leaf Shape
27.0 mm Leaf Width	27.5 mm Leaf Width
72.0 mm Leaf Length	90.0 mm Leaf Length
LEAF DORSAL SIDE:	**LEAF DORSAL SIDE**
2 Leaf Color: 1=Light Green 2=Medium Green 3=Dark Green 4=Other (describe) _____	2 Leaf Color
Color Chart Name RHS Color Chart Reading 137B	Color Chart Reading 137B
2 Pubescence: 1=Absent 2=Light 3=Heavy	2 Pubscence
1 Luster: 1=Dull 2=Shiny	1 Luster
LEAF VENTRAL SIDE:	**LEAF VENTRAL SIDE**
2 Leaf Color: 1=Light Green 2=Medium Green 3=Dark Green 4=Other (describe) _____	2 Leaf Color
Color Chart Name RHS Color Chart Reading 144A	Color Chart Reading 144A
2 Pubescence: 1=Absent 2=Light 3=Heavy	2 Pubscence
1 Luster: 1=Dull 2=Shiny	1 Luster
4. FLOWER:	
1 Type: 1=Single 2=Semi-Double 3=Double	1 Type
1 Form: 1=Flat 2=Cupped 3=Other _____	1 Form
1 Shape: 1=Round (petals overlap) 2=Intermediate 3=Star (petals gapped)	1 Shape
1 Flower Odor: 1=None 2=Mild 3=Strong	1 Flower Odor
2 Pedicel Anthocyanin: 1=Absent 2=Faint 3=Strong	1 Pedicel Anthocyanin
25 Number Flowers per Plant	25 Number Flowers per Plant
47.0 mm Flower Diameter	43.0 mm Flower Diameter
3.0 mm Orifice Size (including the opening of the corolla tube)	2.0 mm Orifice Size
3.0 mm Ring Width (from outside orifice to edge of color band)	2.1 mm Ring Width
24.0 mm Petal Width (at widest point)	25.0 mm Petal Width
21.0 mm Petal Length (from ring to outer edge)	23.0 mm Petal Length
Application Variety Data	Comparison Variety Data

JMS 8/12/02

Victory Apricot

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Application Variety Data ~~'Kakegawa EP1'~~	Page 3	Comparison Variety Data 'Pacifica Red'

5. FLOWER COLORS : (Note: Common Color Charts: RHS=Royal Horticultural Society Colour Chart; Munsell=Munsell Book of Color)

	Color Verbal Name	Color Chart Code	Color Chart Name		Color Name	Chart Code	Chart Name
EXAMPLE	**Light Blue**	**106C**	**RHS**				
Petal Color	RED	~~42A~~	RHS	Petal Color	red purple	58B	RHS
Ring Color	RED	~~42A~~	RHS	Ring Color	red purple	59B	RHS
Orifice Color	YELLOW	2B	RHS	Orifice Color	red	~~46A~~	RHS
Other Color (describe location or placement) Eye	White	155D	RHS	Other Eye	red purple	58B	RHS

JMS 9/23/03

JMS 8/12/02

6. SEEDS (Measure mature (dry) seeds):

5 Seed Set : 1=None 2=Poor 3=Fair 4=Good 5=Excellent

4 Seed Coat Color: 1=White 2=Tan 3=Brown 4=Black 5=Other _____

1000.0 mg Weight per 1000 Seeds

5 Seed Set

3 Seed Coat Color

1800.0 mg Seed Weight

7. RESISTANCE: Test as many disease and insect reactions as possible before applying for protection. Tests for disease and insect reactions should include a resistant check and a susceptible check for each disease or insect being tested. When using disease resistance to describe novelty, information on these checks should be included in the novelty statement in support of the novelty claim. Rate the application variety and the comparison variety on a scale of 1 (most susceptible) to 9 (most resistant) for each disease or insect reaction being reported. Give the scientific and common names of each disease/insect for completeness, and the race or strain, if known. **(Rate from 1 (most susceptible) to 9 (most resistant)):**

Rating	Disease/Insect Name (give race or strain, if known)	Rating	Disease/Insect Name
___	_____	___	_____
___	_____	___	_____
___	_____	___	_____
___	_____	___	_____

Application Variety Data

Comparison Variety Data

8. **ng the identity of each**
var **f the verbal descriptors**
giv

Kakegawa EP1 is labeled Victory Deep Apricot in this photo

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Exhibit D

PVP Appl. No. _____

Vinca Data - First Sowing - Plant Characteristics

Plant. No.	Kakegawa EP1 (cm.)			Pacifica Red (cm.)		
	Plant Height	Leaf Width	Flower Diam.	Plant Height	Leaf Width	Flower Diam.
1	11	2.4	5.0	11	2.7	3.8
2	12	2.0	5.1	11	2.9	5.0
3	11	2.2	4.0	13	2.1	4.5
4	12	2.0	5.0	10	2.4	4.5
5	10	2.5	4.4	13	2.2	4.1
6	10	3.0	4.9	15	2.2	4.0
7	12	3.3	4.2	11	2.0	4.3
8	12	2.3	4.7	11	2.1	4.8
9	12	2.8	4.9	11	2.8	4.5
10	11	2.2	4.9	9	2.9	4.3
11	10	2.8	5.1	11	2.6	4.5
12	11	2.8	4.9	11	2.6	4.6
13	12	2.8	4.7	12	3.2	4.1
14	12	2.5	4.3	13	2.4	4.3
15	13	2.6	4.8	11	2.3	5.0
16	13	2.2	4.6	11	2.2	4.3
17	13	2.5	4.9	11	2.7	4.2
18	11	2.6	4.3	10	2.2	4.1
19	10	2.7	4.8	9	3.0	4.3
20	10	2.2	4.3	10	2.3	4.6
21	12	2.7	4.6	11	3.0	4.1
22	11	2.6	4.9	13	2.3	4.3
23	12	2.0	4.7	12	3.5	4.2
24	9	2.8	4.2	11	2.4	4.2
25	11	2.7	4.5	10	2.5	4.3
26	11	2.7	4.9	11	2.4	4.2
27	8	2.7	5.0	10	2.8	4.7
28	10	2.2	4.2	11	2.5	4.8
29	8	2.2	4.8	12	2.4	3.8
30	9	2.8	4.3	9	2.5	3.3
Count	30	30	30.0	30	30	30
Average	11	2.5	**4.7**	11	2.5	**4.3**
Std. Dev.	1.3515	0.3205	0.3157	1.3322	0.3548	0.3598

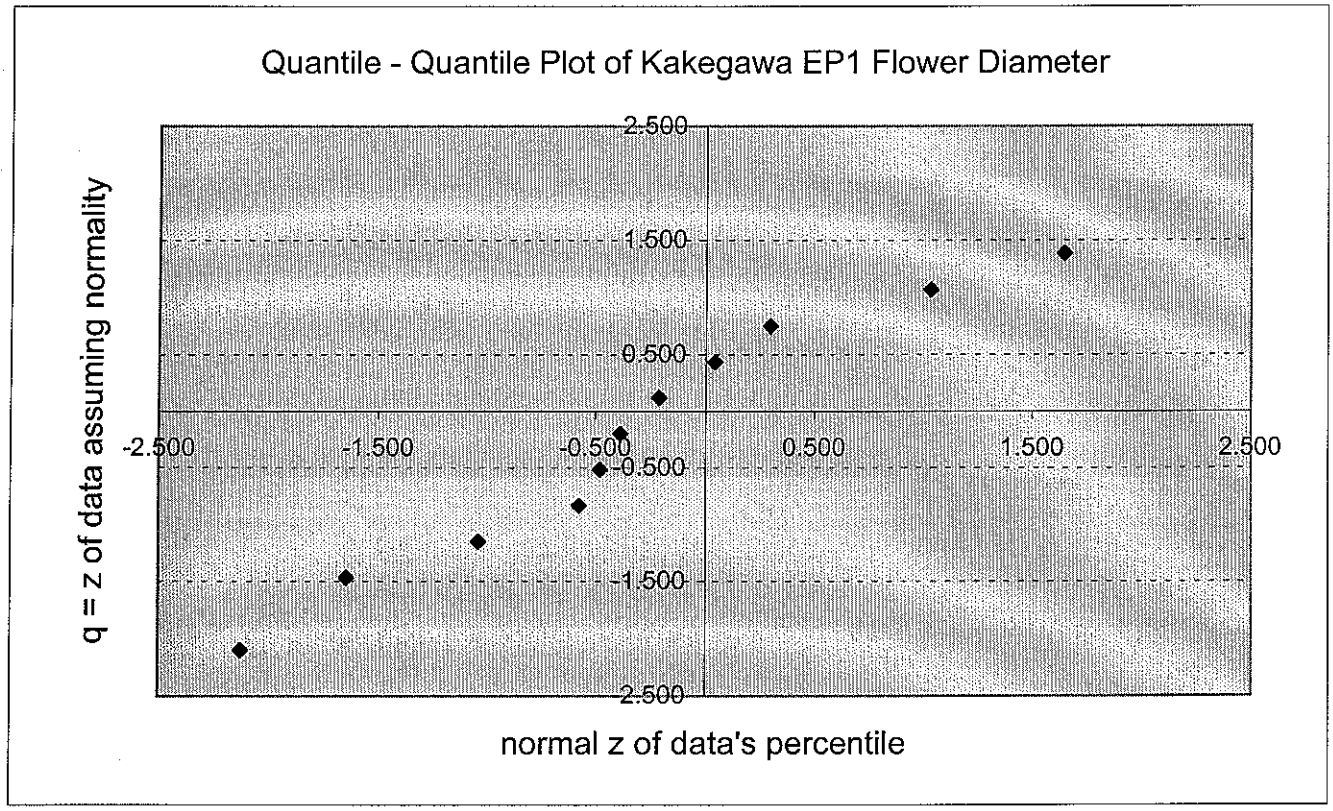
H: mean(EP1) = mean (Pacifica)

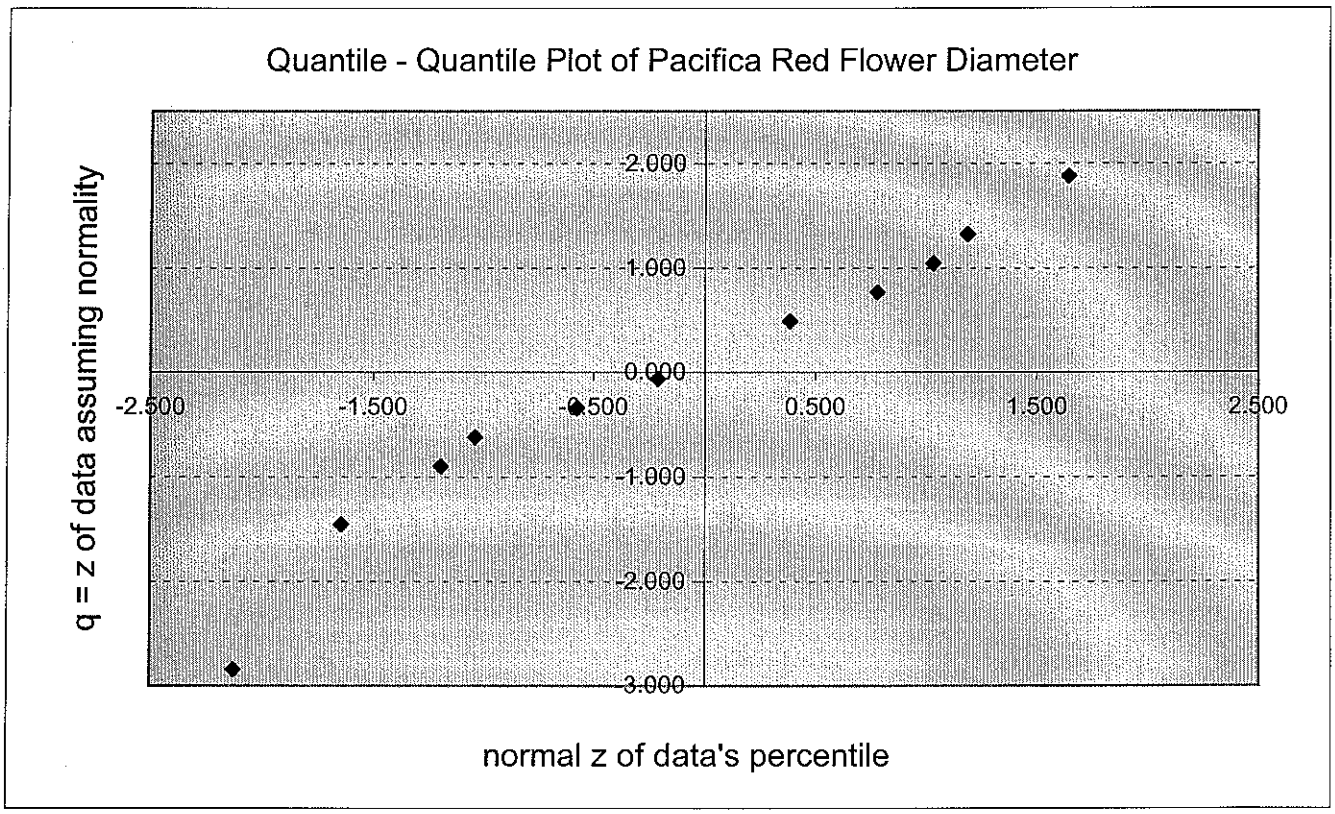
	Plant Height	Leaf Width	Flower Diam.
df numerator	0.014409197	5.80457E-05	5.83087E-05
df denominator	0.000248486	1.01104E-06	1.02233E-06
degrees of freedom	57.988	57.412	57.035
t stat	-0.481	-0.115	3.891
Prob(|T|>t)	0.63232	0.90919	**0.00026**
Excel's Prob	0.63229	0.90919	0.00026

Quantile - Quantile Plot Calculations - First Sowing

EP1 Flower Diameter					Pacifica Flower Diameter				
Flower Diam.	Rank	percentile	z of p	z of data	Flower Diam.	Rank	percentile	z of p	z of data
4.0	1	0.017	-2.128	-2.101	3.3	1	0.017	-2.128	-2.844
4.2	2	0.050	-1.645	-1.468	3.8	2	0.050	-1.645	-1.455
4.2	2	0.050	-1.645	-1.468	3.8	2	0.050	-1.645	-1.455
4.2	2	0.050	-1.645	-1.468	4.0	4	0.117	-1.192	-0.899
4.3	5	0.150	-1.036	-1.151	4.1	5	0.150	-1.036	-0.621
4.3	5	0.150	-1.036	-1.151	4.1	5	0.150	-1.036	-0.621
4.3	5	0.150	-1.036	-1.151	4.1	5	0.150	-1.036	-0.621
4.3	5	0.150	-1.036	-1.151	4.1	5	0.150	-1.036	-0.621
4.4	9	0.283	-0.573	-0.834	4.2	9	0.283	-0.573	-0.343
4.5	10	0.317	-0.477	-0.517	4.2	9	0.283	-0.573	-0.343
4.6	11	0.350	-0.385	-0.201	4.2	9	0.283	-0.573	-0.343
4.6	11	0.350	-0.385	-0.201	4.2	9	0.283	-0.573	-0.343
4.7	13	0.417	-0.210	0.116	4.3	13	0.417	-0.210	-0.065
4.7	13	0.417	-0.210	0.116	4.3	13	0.417	-0.210	-0.065
4.7	13	0.417	-0.210	0.116	4.3	13	0.417	-0.210	-0.065
4.8	16	0.517	0.042	0.433	4.3	13	0.417	-0.210	-0.065
4.8	16	0.517	0.042	0.433	4.3	13	0.417	-0.210	-0.065
4.8	16	0.517	0.042	0.433	4.3	13	0.417	-0.210	-0.065
4.9	19	0.617	0.297	0.750	4.3	13	0.417	-0.210	-0.065
4.9	19	0.617	0.297	0.750	4.5	20	0.650	0.385	0.491
4.9	19	0.617	0.297	0.750	4.5	20	0.650	0.385	0.491
4.9	19	0.617	0.297	0.750	4.5	20	0.650	0.385	0.491
4.9	19	0.617	0.297	0.750	4.5	20	0.650	0.385	0.491
4.9	19	0.617	0.297	0.750	4.6	24	0.783	0.784	0.769
4.9	19	0.617	0.297	0.750	4.6	24	0.783	0.784	0.769
5.0	26	0.850	1.036	1.067	4.7	26	0.850	1.036	1.047
5.0	26	0.850	1.036	1.067	4.8	27	0.883	1.192	1.325
5.0	26	0.850	1.036	1.067	4.8	27	0.883	1.192	1.325
5.1	29	0.950	1.645	1.383	5.0	29	0.950	1.645	1.881
5.1	29	0.950	1.645	1.383	5.0	29	0.950	1.645	1.881
4.7					4.3				
0.3157					0.3598				

First Sowing





Vinca Data - Second Sowing - Plant Characteristics

	Kakegawa EP1 (cm.)			Pacifica Red (cm.)		
Plant. No.	Plant Height	Leaf Width	Flower Diam.	Plant Height	Leaf Width	Flower Diam.
1	12	3.0	4.4	14	2.5	4.1
2	13	3.3	5.0	16	2.9	4.0
3	12	2.5	4.3	16	3.3	4.7
4	13	3.1	4.8	18	3.7	4.7
5	15	3.3	5.1	16	3.1	4.4
6	14	3.5	4.9	15	3.2	4.2
7	14	2.8	4.8	15	2.2	4.3
8	13	2.5	5.3	14	2.8	4.6
9	13	3.1	4.8	13	3.2	4.4
10	12	3.3	4.8	12	2.8	4.3
11	13	3.0	4.4	16	3.1	4.5
12	13	3.1	4.4	16	2.9	4.1
13	14	2.7	4.7	16	2.6	4.1
14	13	2.9	4.5	17	3.4	4.6
15	12	3.3	4.8	17	3.6	4.6
16	13	3.0	4.5	12	2.7	4.8
17	11	2.6	5.1	12	3.2	4.0
18	12	2.9	4.6	12	2.8	4.2
19	11	3.4	4.7	16	2.4	4.0
20	11	2.9	4.6	15	3.1	4.7
21	12	3.1	4.3	16	3.1	4.5
22	14	3.3	4.6	13	2.9	4.7
23	12	2.6	4.2	16	2.6	3.5
24	14	2.5	4.4	16	3.1	4.3
25	13	2.6	4.8	15	3.1	3.3
26	11	2.3	4.7	13	3.0	4.6
27	11	2.3	4.7	14	2.6	4.5
28	10	2.9	4.5	14	2.4	4.5
29	9	2.3	4.6	15	3.0	4.5
30	10	3.0	4.6	14	3.2	4.5
Count	30	30	30	30	30	30
Average	12	2.9	**4.7**	15	3.0	**4.3**
Std. Dev.	1.3979	0.3469	0.2580	1.6484	0.3511	0.3480

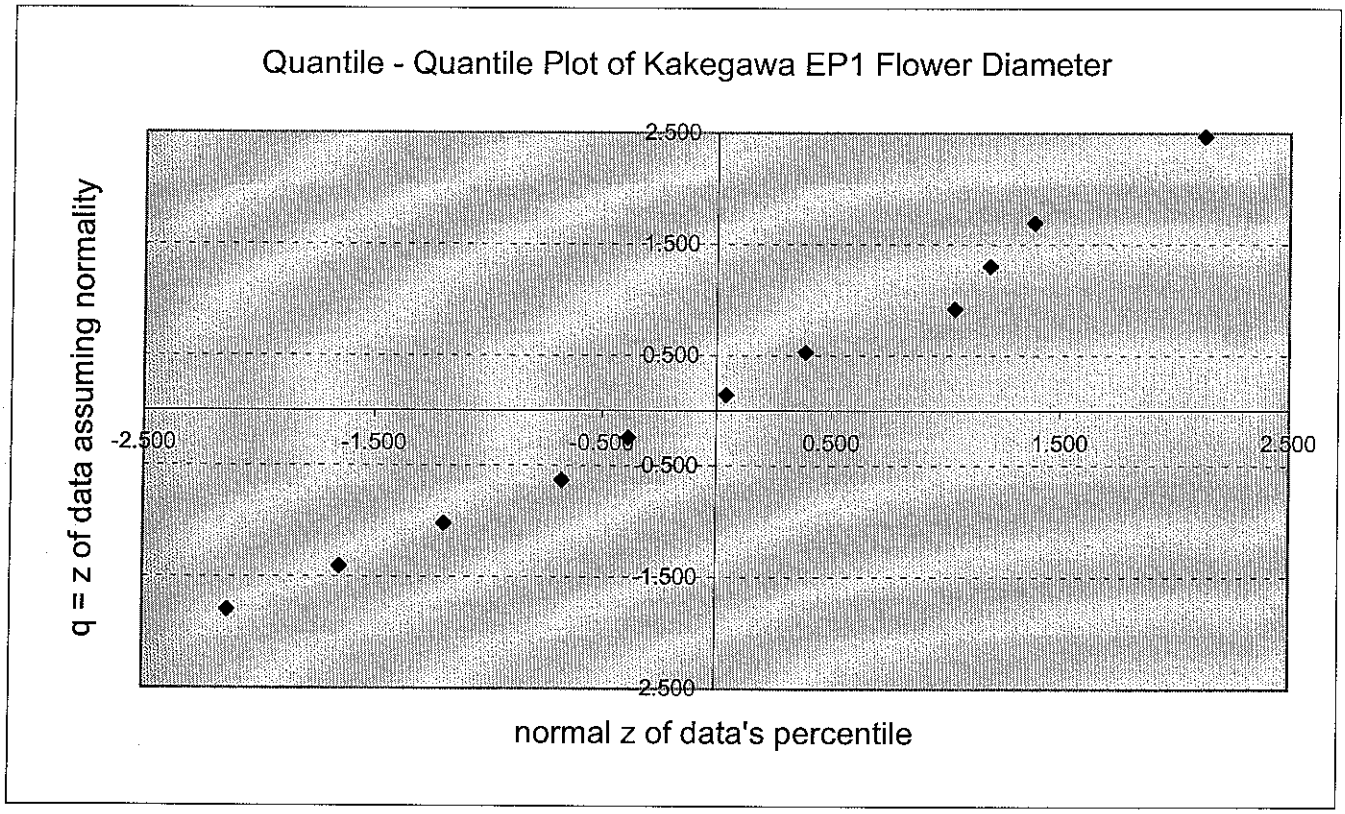
H: mean(EP1) = mean (Pacifica)

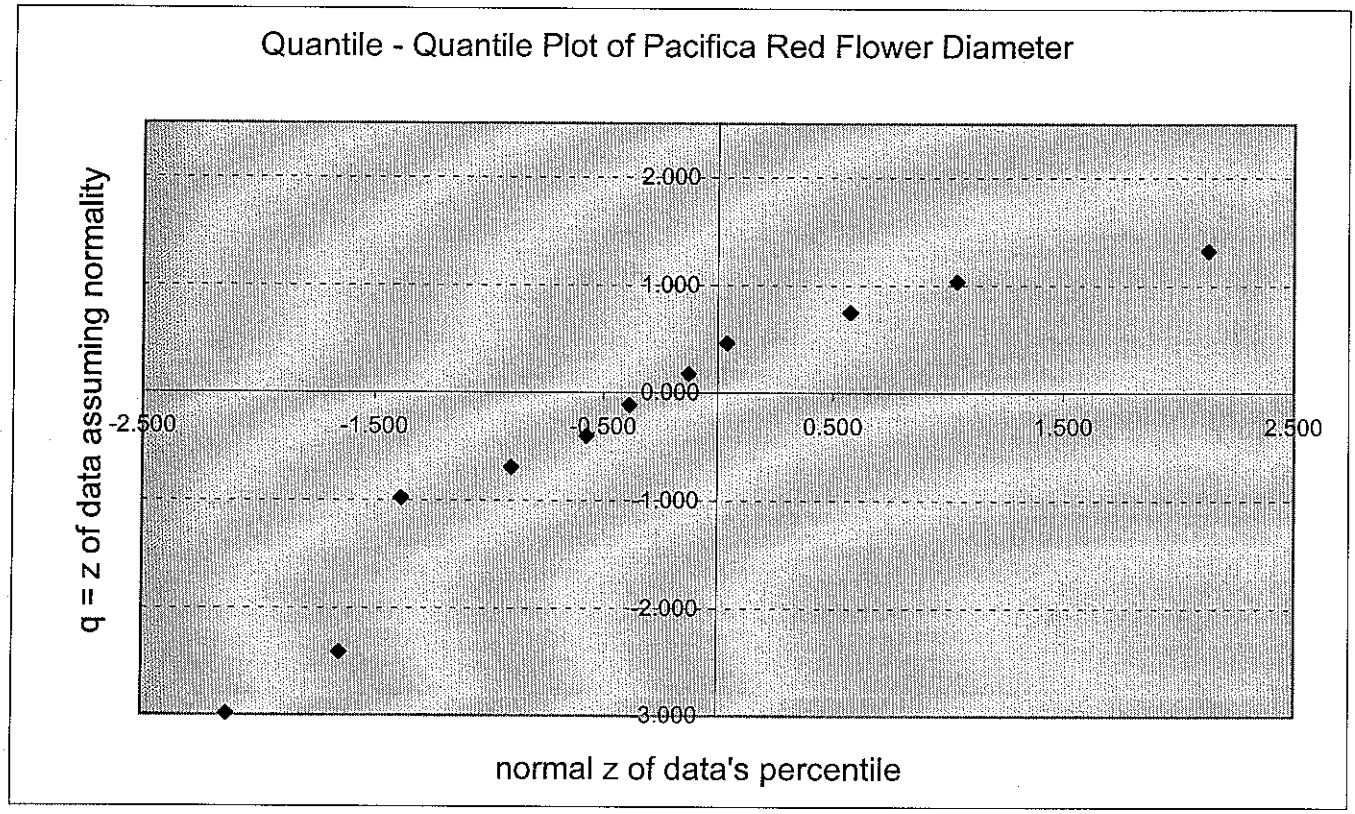
	Plant Height	Leaf Width	Flower Diam.
df numerator	0.024245234	6.59394E-05	3.91224E-05
df denominator	0.00042918	1.13705E-06	7.31557E-07
degrees of freedom	56.492	57.992	53.478
t stat	-6.251	-0.518	4.088
Prob(|T|>t)	0.00000	0.60655	**0.00015**
Excel's Prob	0.00000	0.60652	0.00015

Quantile - Quantile Plot Calculations - First Sowing

EP1 Flower Diameter					Pacifica Flower Diameter				
Flower Diam.	Rank	percentile	z of p	z of data	Flower Diam.	Rank	percentile	z of p	z of data
4.2	1	0.017	-2.128	-1.796	3.3	1	0.017	-2.128	-2.989
4.3	2	0.050	-1.645	-1.409	3.5	2	0.050	-1.645	-2.414
4.3	2	0.050	-1.645	-1.409	4.0	3	0.083	-1.383	-0.977
4.4	4	0.117	-1.192	-1.021	4.0	3	0.083	-1.383	-0.977
4.4	4	0.117	-1.192	-1.021	4.0	3	0.083	-1.383	-0.977
4.4	4	0.117	-1.192	-1.021	4.1	6	0.183	-0.903	-0.690
4.4	4	0.117	-1.192	-1.021	4.1	6	0.183	-0.903	-0.690
4.5	8	0.250	-0.674	-0.633	4.1	6	0.183	-0.903	-0.690
4.5	8	0.250	-0.674	-0.633	4.2	9	0.283	-0.573	-0.402
4.5	8	0.250	-0.674	-0.633	4.2	9	0.283	-0.573	-0.402
4.6	11	0.350	-0.385	-0.246	4.3	11	0.350	-0.385	-0.115
4.6	11	0.350	-0.385	-0.246	4.3	11	0.350	-0.385	-0.115
4.6	11	0.350	-0.385	-0.246	4.3	11	0.350	-0.385	-0.115
4.6	11	0.350	-0.385	-0.246	4.4	14	0.450	-0.126	0.172
4.6	11	0.350	-0.385	-0.246	4.4	14	0.450	-0.126	0.172
4.7	16	0.517	0.042	0.142	4.5	16	0.517	0.042	0.460
4.7	16	0.517	0.042	0.142	4.5	16	0.517	0.042	0.460
4.7	16	0.517	0.042	0.142	4.5	16	0.517	0.042	0.460
4.7	16	0.517	0.042	0.142	4.5	16	0.517	0.042	0.460
4.8	20	0.650	0.385	0.530	4.5	16	0.517	0.042	0.460
4.8	20	0.650	0.385	0.530	4.5	16	0.517	0.042	0.460
4.8	20	0.650	0.385	0.530	4.6	22	0.717	0.573	0.747
4.8	20	0.650	0.385	0.530	4.6	22	0.717	0.573	0.747
4.8	20	0.650	0.385	0.530	4.6	22	0.717	0.573	0.747
4.8	20	0.650	0.385	0.530	4.6	22	0.717	0.573	0.747
4.9	26	0.850	1.036	0.917	4.7	26	0.850	1.036	1.034
5.0	27	0.883	1.192	1.305	4.7	26	0.850	1.036	1.034
5.1	28	0.917	1.383	1.693	4.7	26	0.850	1.036	1.034
5.1	28	0.917	1.383	1.693	4.7	26	0.850	1.036	1.034
5.3	30	0.983	2.128	2.468	4.8	30	0.983	2.128	1.322
4.7					4.3				
0.2580					0.3480				

Second Sowing





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U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

Application is required in order to determine if a plant variety protection certificate is to be issued *(7 U.S.C. 2421)*. The information is held confidential until the certificate is issued *(7 U.S.C. 2426)*.

1. NAME OF APPLICANT(S)

Sakata Seed Corporation

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER

Kakegawa EP1

3. VARIETY NAME

Victory Apricot
~~Kakegawa EP1~~

JMS 8/12/02

4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP, and Country)*

2-7-1 Nakamachidai
Tsuzuki-Ku, Yokohama
Japan 224

5. TELEPHONE *(Include area code)*

(408) 778-7758

6. FAX *(Include area code)*

(408) 779-1978

7. PVPO NUMBER

200100121

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. **If no, please explain.** [X] YES [ ] NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? **If no, give name of country.** [ ] YES [X] NO

Japan

10. Is the applicant the original owner? [X] YES [ ] NO **If no, please answer one of the following:**

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?
[ ] YES [ ] NO **If no, give name of country**

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?
[ ] YES [ ] NO **If no, give name of country**

11. Additional explanation on ownership *(If needed, use the reverse for extra space)*:

The breeder of the new variety is an employee of Sakata Seed Corporation. By agreement between the employee and Sakata, all rights to any invention are assigned to the company; therefore, ownership resides with Sakata Seed Corporation.

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.

2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.

3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) ot the Plant Variety Protection Act for definitions.